

38428

MTL-13548-K

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

IN THE MATTER OF THE MARRIAGE OF

SUSAN RAE KIRK,

Petitioner,

and

STEPHEN J. KIRK,

Respondent.

No. 81-1165-NJ-2

DECREE OF DISSOLUTION

THIS MATTER coming before the court for hearing on June 22, 1981, petitioner appearing in person and by her attorney and the court having found the respondent in default and a default order having been entered, and

The court having further found that it has jurisdiction of the parties and the marriage, and that irreconcilable difference between the parties have caused the irremediable breakdown of the marriage, and

The court having entered an order waiving the 90 day waiting period pursuant to ORS 107.065(2), and the court finding that there is no chance that the marriage will be put back together and that an immediate adjudication of the property rights of the parties is necessary for the support of petitioner and the minor children and to allow for the resolution of other financial difficulties; and

Respondent has not paid any child support to date pursuant to the court's earlier order and the court further finding that there is a substantial likelihood that respondent will not meet his child support obligations; and

BROPHY, WILSON
& DUHAIME
ATTORNEYS AT LAW
P.O. BOX 128
MEDFORD, OREGON

Decree of Dissolution

1 The court further finding that petitioner is a fit and proper
 2 person to have the care, custody and control of the parties' minor
 3 children, with reasonable visitation rights by respondent and the
 4 court finding that the following facts exist:

5 CHILDREN OF THE MARRIAGE:

6 Shannon J. Kirk, born 2/15/75
 7 Brant E. Kirk, born 7/10/76

8 DATE AND PLACE OF MARRIAGE:

9 December 22, 1973, Reno, Nevada

10 HUSBAND:

11 Residence or legal address: Stephen J. Kirk
 5833 Valley Court
 Klamath Falls, OR 97601
 12 Age: 29 years
 Social Security No.: Unknown

13 WIFE:

14 Residence or legal address: Susan Rae Kirk
 894 Homedale, Apt. A
 Klamath Falls, OR 97601
 15 Maiden Name: Boyer
 Former Married Names: None
 16 Age: 28 years
 Social Security No.: 543-62-3601

17 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- 18 1. The marriage of the parties is dissolved effective on the
 19 29 day of August, 1981.
 20 2. Petitioner, Susan Rae Kirk, is awarded custody of Shannon
 21 J. and Brant E. Kirk, subject to reasonable visitation by respondent.
 22 3. In lieu of any monthly child support payments and pursuant
 23 to ORS 107.105(1)(f) that certain real property located in Klamath
 24 County, Oregon with street address of 1715 Winona Way, Klamath Falls,
 25 Oregon, and more particularly described in Exhibit "A" hereto and
 26 by this reference incorporated herein, is awarded in trust to Susan

1 Rae Kirk for the benefit of the minor children of the parties and
2 Susan Rae Kirk shall hold, control and manage said real property
3 for the benefit of the minor children of the parties, or the
4 survivor thereof, until such time as they are 21 years of age.
5 Said trustee shall have the powers enumerated under the Uniform
6 Trustees Power Act, ORS 128.003(2) to ORS 128.051 and ORS 128.065.
7 Upon the termination of said trust, and any assets thereof shall
8 be distributed to petitioner, Susan Rae Kirk.

9 4. Petitioner is awarded a certain property located in
10 Klamath County, Oregon, described as Lot 6 in Block 3, SECOND
11 ADDITION TO VALLEY VIEW, according to the official plat thereof on
12 file in the office of the County Clerk, Klamath County, Oregon, with
13 street address of 5833 Valley Court, Klamath Falls, Oregon.

14 5. Respondent is awarded that certain real property located
15 in Klamath County, Oregon being one acre in size with a single
16 family dwelling located approximately one-half mile south Beatty,
17 Oregon and more particularly described in Exhibit "B" hereto.

18 6. Petitioner is awarded the following personal property:

19 a. All of her jewelry, clothing and personal effects.

20 b. The 1980 Porsche automobile with license number
21 HMX 774, and vehicle identification number 9IA0142674.

22 c. All that personal property located on the real
23 property at 5833 Valley Court, Klamath Falls, Oregon, herein
24 above awarded to petitioner.

25 d. The 1979 Ford pickup with Oregon license number
26 PPL 205 and vehicle identification number F26SREC0645.

e. All other personal property owned or possessed by petitioner, or in which she has an ownership interest, except those items awarded to respondent herein below.

7. Respondent should be awarded the following personal property:

a. All of his jewelry, clothing and personal effects.

b. The 1979 Ford pickup with Oregon license number FTR976 and vehicle identification number F36SREC5052.

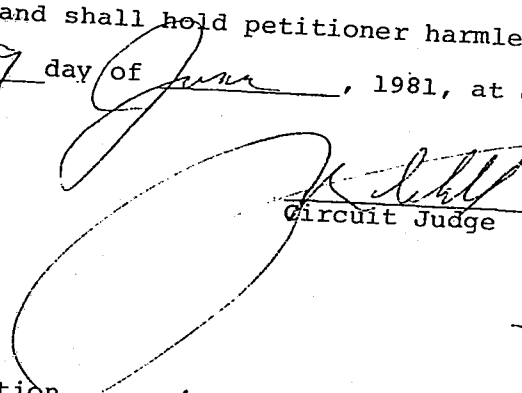
c. One used 528 Caterpillar skidder, serial number 51S561, subject to the indebtedness thereon, which respondent shall pay and hold petitioner harmless from.

d. All other personal property now in respondent's possession.

8. Petitioner shall pay the indebtedness owed on the real property awarded to her individually, and shall hold respondent harmless therefrom. Petitioner in her capacity as trustee, shall pay the indebtedness owing on the property awarded to her as trustee.

9. Respondent shall pay all other obligations by the parties including but not limited to the obligation owing on the 528 Caterpillar skidder and shall hold petitioner harmless therefrom.

DATED this 29 day of June, 1981, at Jackson County, Oregon.


Circuit Judge

Decree of Dissolution

RECEIVED
AND
FILED

1031
JUN 29 AM 10 27

PROPERTY DESCRIPTION

That certain property located at Lot 14 in Block 2
of First addition to Winema Gardens in Klamath County,
Oregon.

EXHIBIT "A"

MTC

PROPERTY DESCRIPTION

That portion of lot 30 in Section 16 township 36 South
range 12 EAST in Klamath County, Oregon.

EXHIBIT "B"

This instrument is a copy of the original on file in the office of the County Clerk of Klamath County, Oregon.

WITNESSED AND SUBSCRIBED AT

the County Clerk's Office, Klamath County, Oregon, this 1st day of June, 1960.

BY

RETURN: MTC

EX-11

11276

This instrument is a correct copy of
the original on file in this office.

ATTEST JUN 27 1984

Circuit Court - Trial Court Administrator
STATE OF OREGON - JACKSON COUNTY

BY E. W. [Signature]

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for
record on the 3rd day of July A.D., 1984 at 3:38 o'clock PM,
and duly recorded in Vol. M84 of Deeds on page 11270.

Fee: \$ 28.00

EVELYN, BIEHN, COUNTY CLERK

by: Bernetha [Signature], Deputy